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AMIN & TUROCY, LLP 24TH FLOOR, NATIONAL CITY CENTER 1900 EAST NINTH STREET CLEVELAND, OH 44114				VU, THANH T
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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 09/606,383

Filing Date: June 28, 2000

Appellant(s): CLARK ET AL.

AMIN & TUROCY, LLP
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 03/15/2005.

(1) Real Party in Interest

[Handwritten signature]

A statement identifying the real party in interest is contained in the brief.

(2) *Related Appeals and Interferences*

A statement identifying the related appeals and interferences which will directly affect or be directly affected by or have a bearing on the decision in the pending appeal is contained in the brief.

(3) *Status of Claims*

The statement of the status of the claims contained in the brief is correct.

(4) *Status of Amendments After Final*

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) *Summary of Invention*

The summary of invention contained in the brief is correct.

(6) *Issues*

The appellant's statement of the issues in the brief is correct.

(7) *Grouping of Claims*

The rejection of claims 1-48 stand or fall together because appellant's brief does not include a statement that this grouping of claims does not stand or fall together and reasons in support thereof. See 37 CFR 1.192(c)(7).

(8) *ClaimsAppealed*

The copy of the appealed claims contained in the Appendix to the brief is correct.

(9) *Prior Art of Record*

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6,271,845	Richardson	08-2001
5,819,028	Manghirmalani et al.	10-1998
6,584,507	Bradley et al.	06-2003

(10) *Grounds of Rejection*

The following ground(s) of rejection are applicable to the appealed claims:

Claims 1-5, 7, 9-21, 23-25, 31-48 are rejected under 35 U.S.C. 102(e) as being anticipated by Chin et al. (U.S. Pat. No. 6,456,306).

Per claim 1, Chin teaches a user interface to display and manage a plurality of entities as if a single entity, comprising:

a representation of a collection of members as a single entity (fig. 3; site pane 310 and resources pane 320); and

an individual representation of each member associated with the entity wherein if an action is performed on the representation of the collection of members, then the action is propagated to the collection of members (figs. 3 and 6; *the collection of members*: site pane 310 or resource pane 320; See col. 2, lines 31-44; col. 9, lines 29-31, lines 34-37 and lines 43-46), if the action is performed on the representation of the member associated with the entity, then the action is directed to the member (figs. 3 and 6; *the member associated with the entity*: content pane 330; See col. 2, lines 31-44; col. 9, lines 34-37).

Per claim 2, Chin teaches the user interface of claim 1 depicting a plurality of resources that are at least one of sent to the collection as a whole and sent to the members (fig. 6; resources: tools 661-664; col. 8, lines 55-col. 9, line 7; col. 9, lines 40-56).

Per claim 3, Chin teaches the user interface of claim 1 depicting a plurality of resources to at least one of deploy to a different entity, deploy to a member of a different entity, deploy to a member of the same entity, and deploy from a member of the same entity to the entity itself (fig. 6; resources: tools 661-664; col. 8, lines 55-col. 9, line 7); col. 9.

Per claim 4, Chin teaches the user interface of claim 3 wherein a user is enabled to at least one of deploy to a different entity, deploy to a member of a different entity, deploy to a member of the same entity, and deploy from a member of the same entity to the entity itself (fig. 6; resources: tools 661-664; col. 8, lines 55-col. 9, line 7).

Per claim 5, Chin teaches the user interface of claim 1 wherein a plurality of display objects is a representation of the members of the entities as a whole (fig. 3; site pane 310 and resources pane 320; contents pane 330).

Per claim 7, chin teaches the user interface of claim 1 wherein the members are depicted by individual display objects (fig. 3; site pane 310 and resources pane 320; contents pane 330).

Per claim 9, Chin teaches the user interface of claim 1 providing a performance view of a plurality of resources on the collection of members as a whole (fig. 6; col. 2, lines 40-44; col. 9, lines 50-56).

Per claim 10, Chin teaches the user interface of claim 9 providing a performance view of the plurality of resources associated with the member (fig. 6; col. 2, lines 40-44; col. 9, lines 40-46; col. 9, lines 60-col. 10, lines 5).

Per claim 11, Chin teaches the user interface of claim 1 providing an events view of a plurality of resources on the collection of members as a whole (fig. 6; col. 8, lines 65-67; col. 9, lines 50-56).

Per claim 12, Chin teaches the user interface of claim 11 providing an events view of the plurality of resources associated with the member (fig. 6; col. 8, lines 65-67; col. 9, lines 40-46; col. 9, lines 60-col. 10, lines 5).

Per claim 13, Chin teaches the user interface of claim 1 providing a monitor view of a plurality of resources on the collection of members as a whole (fig. 6; col. 8, lines 55-62; col. 9, lines 50-56).

Per claim 14, Chin teaches the user interface of claim 13 providing a monitor view of the plurality of resources associated with the member (fig. 6; col. 8, lines 55-62; col. 9, lines 40-46; col. 9, lines 60-col. 10, lines 5).

Per claim 15, Chin teaches the user interface of claim 1 providing a status of a plurality of resources on the collection of entities as a whole (fig. 6; col. 9, lines 1-7 and lines 50-56).

Per claim 16, Chin teaches the user interface of claim 15 providing a status of the plurality of resources associated with the member (fig. 6; col. 9, lines 1-7 and lines 40-46; col. 9, lines 60-col. 10, lines 5).

Per claim 17, Chin teaches the user interface of claim 1 operative to facilitate a user interfacing the entity from an entity not associated with the entity as a whole (figs. 3 and 6; col. 2, lines 35-40; col. 9, lines 24-27).

Per claim 18, Chin teaches the user interface of claim 1, the display objects serving as an interface for at least one of creating the entity, adding members to the entity, and deploying content across the entity (fig. 3; col. 2, lines 27-35).

Per claim 19, Chin teaches the user interface of claim 1 providing an aggregated display of performance of the entity as a whole (fig. 6; col. 8, lines 48-53).

Per claim 20, Chin teaches the user interface of claim 19, wherein display objects provide an aggregated status of the entity as a whole (fig. 6; col. 8, lines 1-5 and lines 36-44).

Per claim 21, Chin teaches the user interface of claim 20, the status including at least one of on-line status and synchronization status (fig. 6; col. 7, lines 24-35).

Per claim 23, Chin teaches the user interface of claim 1 providing a display of performance for a member of the entity (figs 3 and 6; col. 2, lines 40-44).

Per claim 24, Chin teaches the user interface of claim 23, wherein display objects provide status for a member of the entity (fig. 6; col. 8, lines 1-5 and lines 36-44).

Per claim 25, Chin teaches the user interface of claim 24, the status including at least one of on-line status and synchronization status (fig. 6; col. 7, lines 24-35).

Per claim 31, Chin teaches the user interface of claim 1 providing a display of events for the entity (fig. 6; col. 8, lines 65-67).

Per claim 32, Chin teaches the user interface of claim 31 wherein the display provides at least one of a date, time, server name, source for the event, event id, and description for the event (fig. 6; col. 8, lines 65-67; col. 9, lines 53-55).

Per claim 33, Chin teaches the user interface of claim 31 wherein display objects enable the user to filter an event log to at least one of select a product type, select an event type, select an event id (fig. 6; col. 7, lines 53-54).

Per claim 34, Chin teaches the user interface of claim 31 providing a display of events for members within the entity, wherein the events are related to at least one of applications, monitors, performance, and resources (fig. 6; col. 8, lines 65-67).

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Per claim 35, Chin teaches the user interface of claim 34 wherein the display provides at least one of a date, time, server name, source for the event, event id, and description for the event (fig. 6; col. 9, lines 53-56).

Per claim 36, Chin teaches the user interface of claim 21 wherein display objects enable the user to at least one of select an event source, select an event type, select an event id, and filter a collection of events (fig. 6, lines 55-57).

Per claim 37, Chin teaches the user interface of claim 1 providing a display to monitor performance of the entity (fig. 6; col. 8, lines 55-63).

Per claim 38, Chin teaches the user interface of claim 37 wherein display objects enable the user to at least one of edit monitors, disable monitors, and check monitor status (fig. 4; unmonitor icon; col. 8, lines 55-63).

Per claim 39, Chin teaches the user interface of claim 38 wherein the display provides status of the monitors (fig. 6; col. 7, lines 55-57).

Per claim 40, Chin teaches the user interface of claim 39 wherein the status is displayed with at least one of a date, name, time, threshold, and value (col. 7, lines 18-22).

Claims 41-44 are rejected under the same rationale as claims 37-40 respectively.

Per claim 45, Chin teaches the user interface of claim 1, wherein the display object is a collection of members forming the entity (fig. 3; col. 2, lines 35-40).

Per claim 46, Chin teaches the user interface of claim 1, wherein the display object represents a member within the entity.

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Per claim 47, Chin teaches the user interface of claim 1, wherein the display object represents at least one of applications, monitors, and performance for the entity (fig. 6; col. 8, lines 55-63).

Per claim 48, Chin teaches the user interface of claim 1, wherein the display object represents at least one of events and monitors for members associated with the entity (fig. 6; col. 8, lines 55-63).

Claims 6 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chin et al. (U.S. Pat. No. 6,456,306) in view of Richardson (U.S. Pat. No. 6,271,845).

Per claim 6, Chin teaches the user interface of claim 5, but does not teach the display objects represent at least one of a machine or cluster. However, Richardson teaches the display objects represent at least one of a machine or cluster (figs. 9 and 10; col. 11, lines 44). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to include the teaching of Richardson in the invention of Chin because an administrator can quickly display network health problems associated with a group view of machines or servers.

Claim 8 is rejected under the same rationale as claim 6.

Claims 22 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chin et al. (U.S. Pat. No. 6,456,306) in view of Manghirmalani et al. (“Manghirmalani”, U.S. Pat. No. 5,819,028).

Per claim 22, Chin teaches the user interface of claim 20, but does not teach display objects provide for time adjustment of the performance display. However, Manghirmalani

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teaches teach display objects provide for time adjustment of the performance display (fig. 4; col. 8, lines 54-61). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to include the teaching of Maghirmalani in the invention of Chin in order to display to users the health of the network devices with respect to time.

Claim 26 is rejected under the same rationale as claim 22.

Claims 27-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chin et al. (U.S. Pat. No. 6,456,306) in view of Bradley et al. (“Bradley”, U.S. Pat. No. 6,584,507).

Per claim 27, Chin teaches the user interface of claim 1, but does not teach the user interface providing a display of applications for the entity. However, Bradley teaches the user interface providing a display of applications for the entity (fig. 3G; col. 12, lines 56-67). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to include the teaching of Bradley in the invention of Chin in order to provide the network administrator a user interface for configuration management of the network and distribution of program applications.

Per claim 28, Bradley teaches the user interface of claim 27, wherein display objects enable the user to at least one of create applications, delete applications, rename applications, and synchronize applications throughout the entity (fig. 3A-3H; col. 10, lines 31-40).

Per claim 29, Bradley teaches the user interface of claim 27, providing a display of resources within the applications (figs. 3D-3E; col. 11, lines 20-34).

Per claim 30, Bradley teaches the user interface of claim 29, wherein display objects enable the user to add and remove resources from applications (figs. 3D-3E; col. 11, lines 20-34).

(11) Response to Argument

Applicant's primary argument is that Chin does not teach "wherein if an action is performed on the representation of the collection of members, then the action is propagated to the collection of members, if the action is performed on the representation of the member associated with the entity, then the action is directed to the member".

The examiner does not agree for the following reasons:

During patent examination, the pending claims must be "given >their< broadest reasonable interpretation consistent with the specification." > In re Hyatt, 211 F.3d 1367, 1372, 54 USPQ2d 1664, 1667 (Fed. Cir. 2000). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

In this case, Ching reads on the claim language of if an action is performed on the representation of the collection of members, then the action is propagated to the collection of members (*See col. 2, lines 31-40 and col. 9, lines 27-37, and lines 40-46. The examiner interprets "if an action is performed on a representation of the collection of members, then the action is propagated to a collection of members" to be if the collection of members of site pane 310 or 320 of fig. 3 is dragged to window 600 of fig. 6 (an action is performed to show the status of the collection of members), each member of the collection is displayed in a status pane that matches its status, see col. 9, lines 34-37 and lines 43-46 (the action is propagated to collection of members.)*)

In addition, Ching reads on the claim language of if the action is performed on the representation of the member associated with the entity, then the action is directed to the member

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(see figs. 3 and 6; the member associated with the entity: content pane 330; col. 2, lines 31-40; col. 9, lines 27-37. The examiner interprets "if the action is performed on the representation of the member associated with the entity, then the action is directed to the member" to be if the network device or object icon of pane 330 of fig. 3 is dragged to window of fig. 6 (an action is performed to show the status of the member associated with the entity), the network device or object icon is displayed in a status pane that matches its status, see col. 9, lines 34-37 (the action is directed only to the member.)

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

Kristine Kincaid
KRISTINE KINCAID
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

Thanh Vu
March 23, 2005

Conferees
Kristine L. Kincaid

J.H.F.
Joseph H. Feild

AMIN & TUROCY, LLP
24TH FLOOR, NATIONAL CITY CENTER
1900 EAST NINTH STREET
CLEVELAND, OH 44114